



PATENT

Docket No. 1758-4043US1

Express Mail Label No. EJ606944251US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

UTILITY APPLICATION AND APPLICATION FEE TRANSMITTAL  
(1.53(b))

ASSISTANT COMMISSIONER FOR PATENTS  
Box Patent Application  
Washington, D.C. 20231

Sir:

Transmitted herewith for filing is the patent application of

Named Inventor(s) and Address(es): Francis Michon, 4401 Rosedale Avenue, Bethesda, MD 20814 U.S.A.  
Chun-Hsien Huang, 9815 Bald Cypress Drive, Bethesda, MD 20850 U.S.A.  
Catherine Uitz, 4126 N. 34<sup>th</sup> Road, Arlington, VA 22207 U.S.A.

For: IMMUNOGENIC  $\beta$ -PROPIONAMIDO-LINKED POLYSACCHARIDE PROTEIN  
CONJUGATE USEFUL AS A VACCINE PRODUCED USING AN N-  
ACRYLOYLATED POLYSACCHARIDE

Enclosed are:

[X] 33 page(s) of specification, 1 page(s) of Abstract, 7 page(s) of claims

[X] 1 sheets of drawing [X] formal [ ] informal

[X] 6 page(s) of Declaration and Power of Attorney

[ ] Unsigned  
[X] Newly Executed  
[ ] Copy from prior application

[ ] Deletion of inventors including Signed Statement under 37 C.F.R. § 1.63(d)(2)

[ ] Incorporation by Reference: The entire disclosure of the prior application, from which a copy of the combined declaration and power of attorney is supplied herein, is considered as being part of the disclosure of the accompanying application and is incorporated herein by reference.

[ ] Microfiche Computer Program (Appendix)

[ ] \_\_\_\_\_ page(s) of Sequence Listing

[ ] computer readable disk containing Sequence Listing  
[ ] Statement under 37 C.F.R. § 1.821(f) that computer and paper copies of the Sequence Listing are the same

[X] Claim for Priority: Provisional U.S. Application No. 60/097,120 filed August 19, 1998.

- ☐ Certified copy of Priority Document(s)
  - ☐ English translation documents
- ☐ Information Disclosure Statement
  - ☐ Copy of \_\_\_\_ cited references
  - ☐ Copy of PTO-1449 filed in parent application serial No. \_\_\_\_\_
- ☐ Preliminary Amendment
- ☐ Return receipt postcard (MPEP 503)
- ☒ Assignment Papers (assignment cover sheet and assignment documents)
  - ☒ A check in the amount of \$40.00 for recording the Assignment.
  - ☐ Assignment papers filed in parent application Serial No. \_\_\_\_\_
  - ☐ Certification of chain of title pursuant to 37 C.F.R. § 3.73(b).
- ☒ This is a ☐ continuation ☐ divisional ☒ continuation-in-part (C-I-P) of prior application serial no. 60/097,120.
  - ☐ Cancel in this application original claims \_\_\_\_\_ of the parent application before calculating the filing fee. (At least one original independent claim must be retained for filing purposes.)
  - ☐ A preliminary Amendment is enclosed. (Claims added by this Amendment have been properly numbered consecutively beginning with the number following the highest numbered original claim in the prior application.
- ☒ The status of the parent application is as follows:
  - ☐ A Petition For Extension of Time and a Fee therefor has been or is being filed in the parent application to extend the term for action in the parent application until \_\_\_\_\_.
  - ☐ A copy of the Petition for Extension of Time in the co-pending parent application is attached.
  - ☒ No Petition For Extension of Time and Fee therefor are necessary in the co-pending parent application.
- ☐ Please abandon the parent application at a time while the parent application is pending or at a time when the petition for extension of time in that application is granted and while this application is pending has been granted a filing date, so as to make this application co-pending.
  - ☐ Transfer the drawing(s) from the patent application to this application.
- ☒ Amend the specification by inserting before the first line the sentence:
 

This is a ☐ continuation ☐ divisional ☒ continuation-in-part of co-pending application Serial No. 60/097,120 filed August 19, 1998.

## I. CALCULATION OF APPLICATION FEE (For Other Than A Small Entity)

	Number Filed	Number Extra	Rate	Basic Fee
Total Claims	82	-20= 62	x\$18.00	\$ 760.00
Independent Claims	4	- 3= 1	x\$78.00	\$ 78.00
Multiple Dependent Claims	<input checked="" type="checkbox"/> yes <input type="checkbox"/> no		Additional Fee = \$260.00 Add'l Fee = NONE	\$ 260.00

Total: \$2,214.00

- ☐ A statement claiming small entity status is attached or has been filed in the above-identified parent application and its benefit under 37 C.F.R. § 1.28(a) is hereby claimed. Reduced fees under 37 C.F.R. § 1.9(F) (50% of total) paid herewith \$ \_\_\_\_\_.
- ☒ A check in the amount of \$2,214.00 in payment of the application filing fees is attached.
- ☐ Charge Fee(s) to Deposit Account No. 13-4500. Order No. \_\_\_\_\_. A DUPLICATE COPY OF THIS SHEET IS ATTACHED.
- ☒ The Assistant Commissioner is hereby authorized to charge any additional fees which may be required for filing this application, or credit any overpayment to Deposit Account No. 13-4500, Order No. 1758-4043US1. A DUPLICATE COPY OF THIS SHEET IS ATTACHED.

Respectfully submitted,

MORGAN &amp; FINNEGAN, L.L.P.

By:

*Kathryn M. Brown*  
 Kathryn M. Brown  
 Registration No. 34,556

Dated: August 18, 1999

## CORRESPONDENCE ADDRESS:

MORGAN & FINNEGAN, L.L.P.  
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Receipt



PATENT

Docket No. 1758-4043 US1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s) : FRANCIS MICHON, ET AL.  
Serial No : 09/376,911  
Filed : August 18, 1999  
Group Art Unit: 1642  
Examiner: TBA  
For : IMMUNOGENIC  $\beta$ -PROPIONAMIDO-LINKED  
POLYSACCHARIDE PROTEIN CONJUGATE  
USEFUL AS A VACCINE PRODUCED USING AN  
N-ACRYLOYLATED POLYSACCHARIDE

CERTIFICATE OF MAILING (37 C.F.R. 1.8a)

ASSISTANT COMMISSIONER FOR PATENTS  
Office of Initial Patent Examination  
Customer Service Center  
Washington, D.C. 20231

Sir:

I hereby certify that the attached COMMUNICATION REQUESTING CORRECTION OF  
OFFICIAL FILING RECEIPT and RETURN RECEIPT POSTCARD

along with any paper(s) referred to as being attached or enclosed and this Certificate of Mailing are being deposited  
with the United States Postal Service on date shown below with sufficient postage as first-class mail in an envelope  
addressed to the: Assistant Commissioner For Patents, Washington, D.C. 20231.

Respectfully submitted,

MORGAN & FINNEGAN, L.L.P.

By:

Kenneth H. Sonnenfeld

Dated: August 25, 2000

CORRESPONDENCE ADDRESS:

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FORM: CERT..NY  
Rev. 05/27/98



PATENT

Docket No. 1758-4043US1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s) : FRANCIS MICHON, ET AL.

Serial No : 09/376,911 Group Art Unit: 1642

Filed : August 18, 1999 Examiner: TBA

For : IMMUNOGENIC  $\beta$ -PROPIONAMIDO-LINKED  
POLYSACCHARIDE PROTEIN CONJUGATE  
USEFUL AS A VACCINE PRODUCED USING AN  
N-ACRYLOYLATED POLYSACCHARIDE

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Assistant Commissioner For Patents  
Office of Initial Patent Examination  
Customer Service Center  
Washington, D.C. 20231

COMMUNICATION REQUESTING CORRECTION OF  
OFFICIAL FILING RECEIPT

Sir:

This Communication is submitted to request correction of the Corrected Filing Receipt for the above-identified patent application. A copy of the original, corrected filing receipt is attached hereto with the requested change noted thereon. Applicants respectfully request the issuance of a new corrected filing receipt for this patent application.

The Official Filing Receipt does not include the Continuing Data As Claimed By Applicant which is "This application is a continuation-in-part of provisional

Docket No. 1758-4043US1

patent application Serial No. 60/097,120 filed August 19, 1998." This information can be seen from the designation of application type on the copy of the Utility Application And Application Fee Transmittal (1.53(b)) filed with this application (copy attached).

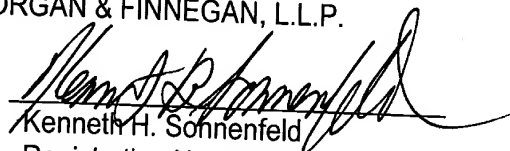
No fee is believed to be due for this request. However, should any fee(s) be required, the Commissioner is hereby authorized to charge any fee(s) to Deposit Account No. 13-4500, Order No. 1758-4043US1. A duplicate copy of this paper is attached.

Respectfully submitted,

MORGAN & FINNEGAN, L.L.P.

Dated: August 25, 2000

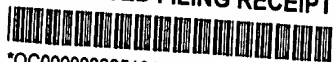
By:

  
Kenneth H. Sonnenfeld  
Registration No. 33,285

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## CORRECTED FILING RECEIPT



\*OC000000005164996\*

UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark OfficeAddress: ASSISTANT SECRETARY AND  
COMMISSIONER OF PATENT AND TRADEMARKS  
Washington, D.C. 20231

APPLICATION NUMBER	FILING DATE	GRP ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	DRAWINGS	TOT CLAIMS	IND CLAIMS
09/376,911	08/18/1999	1641	2160	1758-4043US1	1	58	4

MORGAN & FINNEGAN LLP  
345 Park Avenue  
New York, NY 10154

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TECH CENTER 1600/3600

Date Mailed: 06/08/2000

Receipt is acknowledged of this nonprovisional Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Customer Service Center. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the PTO processes the reply to the Notice, the PTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

## Applicant(s)

FRANCIS MICHON, BETHESDA, MD ;  
CHUN-HSIEN HUANG, ROCKVILLE, MD ;  
CATHERINE UITZ, ARLINGTON, VA ;

## Continuing Data as Claimed by Applicant

## Foreign Applications

"This application is a continuation-in-part of provisional patent application Serial No. 60/097,120 filed August 19, 1998."

If Required, Foreign Filing License Granted 09/01/1999

## Title

IMMUNOGENIC BETA-PROPIONAMIDO-LINKED POLYSACCHARIDE PROTEIN CONJUGATE  
USEFUL AS A VACCINE PRODUCED USING AN N-ACRYLOYLATED POLYSACCHARIDE

## Preliminary Class

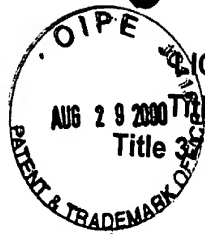
424

Data entry by : JONES, KIMBERLY

Team : OIPE

Date: 06/08/2000





**LICENSE FOR FOREIGN FILING UNDER  
Title 35, United States Code, Section 184  
Title 37, Code of Federal Regulations, 5.11 & 5.15**

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**GRANTED**

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 36 CFR 1.53(d). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Office of Export Administration, Department of Commerce (15 CFR 370.10 (j)); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

**NOT GRANTED**

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).

**PLEASE NOTE the following information about the Filing Receipt:**

- The articles such as "a," "an" and "the" are not included as the first words in the title of an application. They are considered to be unnecessary to the understanding of the title.
- The words "new," "improved," "improvements in" or "relating to" are not included as first words in the title of an application because a patent application, by nature, is a new idea or improvement.
- The title may be truncated if it consists of more than 600 characters (letters and spaces combined).
- The docket number allows a maximum of 25 characters.
- If your application was submitted under 37 CFR 1.10, your filing date should be the "date in" found on the Express Mail label. If there is a discrepancy, you should submit a request for a corrected Filing Receipt along with a copy of the Express Mail label showing the "date in."

Any corrections that may need to be done to your Filing Receipt should be directed to:

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Office of Initial Patent Examination  
Customer Service Center  
Washington, DC 20231



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## UNITED STATES PATENT AND TRADEMARK OFFICE

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UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov



Bib Data Sheet

<b>SERIAL NUMBER</b> 09/376,911	<b>FILING DATE</b> 08/18/1999 <b>RULE</b> -	<b>CLASS</b> 424	<b>GROUP ART UNIT</b> 1641	<b>ATTORNEY DOCKET NO.</b> 1758-4043US1
<b>APPLICANTS</b> FRANCIS MICHON, BETHESDA, MD ; CHUN-HSIEN HUANG, ROCKVILLE, MD ; CATHERINE UITZ, ARLINGTON, VA ;				
<b>** CONTINUING DATA *****</b> THIS APPLN CLAIMS BENEFIT OF 60/097,120 08/19/1998				
<b>** FOREIGN APPLICATIONS *****</b>				
<b>IF REQUIRED, FOREIGN FILING LICENSE</b> <b>GRANTED ** 09/01/1999</b>				
Foreign Priority claimed <input type="checkbox"/> yes <input checked="" type="checkbox"/> no 35 USC 119 (a-d) conditions <input type="checkbox"/> yes <input type="checkbox"/> no <input type="checkbox"/> Met after met Allowance Verified and <u>68</u> Acknowledged Examiner's Signature Initials		<b>STATE OR COUNTRY</b> MD	<b>SHEETS DRAWING</b> 1	<b>TOTAL CLAIMS</b> 58
				<b>INDEPENDENT CLAIMS</b> 4
<b>ADDRESS</b> MORGAN & FINNEGAN LLP 345 Park Avenue New York, NY 10154				
<b>TITLE</b> IMMUNOGENIC BETA-PROPIONAMIDO-LINKED POLYSACCHARIDE PROTEIN CONJUGATE USEFUL AS A VACCINE PRODUCED USING AN N-ACRYLOYLATED POLYSACCHARIDE				
<b>FILING FEE RECEIVED</b> 2160	FEES: Authority has been given in Paper No. _____ to charge/credit DEPOSIT ACCOUNT No. _____ for following:		<input type="checkbox"/> All Fees <input type="checkbox"/> 1.16 Fees ( Filing ) <input type="checkbox"/> 1.17 Fees ( Processing Ext. of time ) <input type="checkbox"/> 1.18 Fees ( Issue ) <input type="checkbox"/> Other _____ <input type="checkbox"/> Credit	

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